



PLANNING COMMISSION AGENDA

NAT DIBUDUO, Chair

Commission Members
LEE BRAND, Vice Chair
NUEL BROWN
JEFFREY HARRINGTON
HAL KISSLER
CHARLES VANG
JENNIFER WHITE

Planning and Development
Director/Secretary
NICK P. YOVINO

Deputy City Attorney
KATHRYN C. PHELAN

The Planning Commission welcomes you to this meeting.

April 7, 2004

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PROCEDURES

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

A. Minutes – Approve minutes for meeting of January 21, 2004.

B. Communications

- 1. Presentation of Draft Environmental Impact Report (DEIR) No. 10132 for the proposed widening of North Chestnut Avenue between East Shaw and East Bullard Avenues – Scott Mozier, Public Works Department.

C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

- A. Consideration of Plan Amendment Application No. A-03-11, Rezone Application No. R-03-57, Conditional Use Permit Application No. C-04-25 and environmental findings, filed by John Allen and Image Homes for 34 acres of property located on the southwest corner of North Figarden Drive and North Brawley Avenue. ***(Continued from meeting of March 17, 2004.)***
1. Environmental Assessment No. A-03-11/R-03-57/C-04-25/T-5278, determination of initial study to file a Mitigated Negative Declaration.
 2. Plan Amendment Application No. A-03-11, requesting an amendment to the 2025 Fresno General Plan and the Bullard Community Plan from the office commercial, neighborhood park, and medium-high density residential planned land use designations to the medium-low density residential (21 acres), neighborhood park with underlying office commercial (7 acres), and office commercial (6 acres) planned land use designations.
 3. Rezone Application No. R-03-57, proposes to rezone the property, consistent with the proposed land uses, from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*), O/UGM (*Open Space/Urban Growth Management*), and C-P/UGM (*Administrative and Professional Office/Urban Growth Management*) zone districts.
 4. Conditional Use Permit Application No. C-04-25 is a request to construct a planned office development comprised of 14 buildings (98,500 square feet of office and 29,000 square feet of commercial) at the location noted above.
 - Bullard Community Plan Area
 - Council District 2 (Councilmember Calhoun)
 - Staff Member: Shelby Chamberlain
 - Staff Recommendation: Approve Conditional Use Permit application; Recommend Approval of the Plan Amendment and Rezone applications
 - Will be considered by City Council

VIII. NEW MATTERS

- A. Consideration of an appeal of Environmental Assessment No. C-02-226, a Mitigated Negative Declaration prepared for this project, and the appeal of the Planning and Development Director's approval of Conditional Use Permit Application No. C-02-226, filed by Wilkins Enterprises, for 20+ acres located at the northeast corner of West Herndon and North Valentine Avenues, as described below.
1. Environmental Assessment No. C-02-226, determination of initial study to file a Mitigated Negative Declaration.
 2. Conditional Use Permit Application No. C-02-226, proposing a mixed use development consisting of Residential (195 dwelling units), Office Commercial (67,000 square feet of building area), and Commercial (7,000 square feet of building area) on the subject site, to be constructed in four phases.
 - Bullard Community Plan Area
 - Council District 2 (Councilmember Calhoun)
 - Staff Member: David Stiglich
 - Staff Recommendation: Deny Appeal and Approve Project
 - May be considered by City Council
- B. Consideration of Rezone Application No. R-02-31, filed in conjunction with Conditional Use Permit Application No. C-03-57 and environmental findings, filed by Scott Ellis Enterprises, for 18.72 acres located on the southwest corner of North Willow and East Alluvial Avenues.
1. Environmental Assessment No. R-02-31/R-02-32/C-03-57/C-03-58, determination of initial study to file a Mitigated Negative Declaration.
 2. Rezone Application No. R-02-31, requesting to rezone the subject property from the RR (*Rural Residential*) zone district, which is currently within the County, to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district.
 3. Conditional Use Permit Application No. C-03-57, requesting to construct a 254-unit apartment complex consisting of one- and two-story apartment buildings, which are comprised of forty-three (43) 1-bedroom units, one hundred sixty-five (165) 2-bedroom units, and forty-six (46) 3-bedroom units. A total of 579 parking spaces are provided, 254 of which are in garages. Also, included on-site are a two and one-half story community building, pool, spa, tennis courts and barbecue.
 - Woodward Park Community Plan Area
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Sara Gerster
 - Staff Recommendation: Approve Conditional Use Permit and Recommend Approval of Rezone Application
 - Will be considered by City Council

VIII. NEW MATTERS - Continued

- C. Consideration of Rezone Application No. R-02-32, filed in conjunction with Conditional Use Permit Application No. C-03-58 and environmental findings, filed by Scott Ellis Enterprises, for 4.81 acres located on the west side of North Willow Avenue, just north of East Alluvial Avenue.
1. Environmental Assessment No. R-02-31/R-02-32/C-03-57/C-03-58, determination of initial study to file a Mitigated Negative Declaration.
 2. Rezone Application No. R-02-32, requesting to rezone the subject property from the RR (*Rural Residential*) zone district, which is currently within the County, to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district.
 3. Conditional Use Permit Application No. C-03-58, requesting to construct a 64-unit apartment complex consisting of one- and two-story buildings containing seven (7) 1-bedroom units, forty-seven (47) 2-bedroom units, ten (10) 3-bedroom units. A total of 144 parking spaces are provided, 64 of which are in garages. Also, included on-site are a cabana, pool, tot lot, and office.
 - Woodward Park Community Plan Area
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Sara Gerster
 - Staff Recommendation: Approve Conditional Use Permit and Recommend Approval of Rezone Application
 - Will be considered by City Council
- D. Consideration of Rezone Application No. R-03-56 and environmental findings, filed by Sid De La Torre on behalf of Robert T. Do, for 17.12 acres located on the southwest corner of West Kearney Boulevard and South Crystal Avenue.
1. Environmental Assessment No. R-03-56, determination of initial study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-03-56, requesting to rezone the subject property from AE-5/UGM (*Exclusive Five-Acre Agricultural/Urban Growth Management*) zone district classification to the R-1-A/UGM (*Single Family Residential/Urban Growth Management*) zone district on the northern 8.06 acres and the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district on the southern 9.06 acres.
 - Edison Community Plan Area
 - Fresno Chandler Downtown Airport Master and Environs Specific Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Bonique Salinas
 - Staff Recommendation: Recommend Approval
 - Will be considered by City Council

VIII. NEW MATTERS - Continued

- E. Consideration of Rezone Application No. R-04-01 and environmental findings, filed by Rosie Hong Truong, for 2.22 acres located on the northeast corner of North Marks and West McKinley Avenues.
1. Environmental Assessment No. R-04-01, determination of initial study to file a Finding of Conformance with the MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-04-01, requesting to rezone the project site from the AE-5/UGM (*Exclusive Five Acre Agricultural District/Urban Growth Management*) zone district to the C-1/UGM (*Neighborhood Shopping Center District/Urban Growth Management Area*) zone district.
 - West Area Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Dawn Marple
 - Staff Recommendation: Recommend Approval
 - Will be considered by City Council
- F. Consideration of Rezone Application No. R-04-06 and environmental findings, filed by Pearl Donato, for 0.65 acres located on the south side of East Iowa Avenue between North Fine and North Willow Avenues.
1. Environmental Assessment No. R-04-06/TPM 2003-22, determination of initial study to file a Finding of Conformance with the MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-04-06, requesting to rezone the subject property from the R-A (*Single Family Residential-Agricultural*) zone district to the R-1 (*Single Family Residential*) zone district.
 - Roosevelt Community Plan Area
 - Council District 7 (Councilmember Perea)
 - Staff Member : Bonique Salinas
 - Staff Recommendation: Recommend Approval
 - Will be considered by City Council

VIII. NEW MATTERS - Continued

- G. Consideration of Vesting Tentative Tract No. 5171/UGM and Rezone Application No. R-03-14, filed by Sun Ridge Developers, for the development of 39 acres located on the west side of South Clovis Avenue between East Jensen and East Church Avenues.
1. Environmental Assessment No. R-03-14/T-5171, determination of initial study to file a Mitigated Negative Declaration.
 2. Vesting Tentative Tract No. 5171, a 192-lot (plus three outlots) single family residential subdivision.
 3. Rezone Application No. R-03-14, requesting to rezone the site from the AE-5/UGM and AE-20 (County) zone districts to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
 - Roosevelt Community Plan Area
 - Council District 5 (Councilmember Dages)
 - Staff Member: David Braun
 - Staff Recommendation: Approve Tentative Tract Map and Recommend Approval of Rezone Application
 - Will be considered by City Council (Rezone application)

IX. REPORT FROM SECRETARY

X. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XI. ADJOURNMENT